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E. D. BALL, *Acting Secretary of Agriculture.*

8342. Misbranding of cottonseed meal and cottonseed cake. U. S. * * * v. Searcy Oil & Ice Co., a Corporation. Plea of guilty. Fine, \$75 and costs. (F. & D. No. 11426. I. S. Nos. 7498-r, 7499-r, 7525-r.)

On March 4, 1920, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Searcy Oil & Ice Co., a corporation, Searcy, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, from the State of Arkansas into the State of Missouri, on or about December 10, 1918, of a quantity of an article, labeled in part "Supreme Brand Cotton Seed Meal Cotton Seed Cake," and on December 20, and December 17, 1918, respectively, of quantities of an article, labeled in part "Butterfly Brand Cottonseed Meal," each of which was misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the following results:

	Supreme Brand.	Butterfly Brand, shipment of—	
		Dec. 17.	Dec. 20.
Protein (per cent)-----	37.19	36.44	36.48
Crude fiber (per cent)-----	14.75	14.64	14.51
Fat (per cent)-----		4.59	-----

Misbranding of each shipment was alleged in the information for the reason that the following statements, "Protein 38.60% * * * crude fibre 12.00%," or "Not less than 38.5% crude protein, not more than 12% crude fiber," or "Protein 38.60 per cent, fat 6.00 per cent, fibre 12.00 per cent," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the Supreme Brand cottonseed meal cottonseed cake contained not less than 38.60 per cent of crude protein and not more than 12 per cent of crude fiber, that one of the shipments of Butterfly Brand cottonseed meal contained not less than 38.5 per cent of crude protein and not more than 12 per cent of crude fiber, and that the other shipment of Butterfly Brand cottonseed cake contained not less than 38.60 per cent of crude protein, not less than 6 per cent of fat, and not more than 12 per cent of fiber, and for the further reason that said articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said articles contained not less than 38.60 per cent or not less than 38.5 per cent of protein, not less than 6 per cent of fat, and not more than 12 per cent of crude fiber, whereas, in truth and in fact, they contained less than the quantities indicated of protein and less than the quantity indicated of fat, and more than 12 per cent of crude fiber.

On March 26, 1920, a plea of guilty was entered on behalf of the defendant corporation, and the court imposed a fine of \$75 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8343. Adulteration of pecan nuts. U. S. * * * v. 375 Sacks of Pecan Nuts. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11542. I. S. No. 28-r. S. No. E-1870.)

On December 1, 1919, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 375 sacks of pecan nuts at Brooklyn, N. Y., alleging

that the article had been shipped on or about November 17, 1919, by A. Cohen & Co., Eagle Pass, Tex., and transported from the State of Texas into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On May 3, 1920, A. Cohen & Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

S344. Adulteration of pecan nuts. U. S. * * * v. 332 Sacks Containing Pecan Nuts. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11543. I. S. No. 29-r. S. No. E-1871.)

On December 2, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 332 sacks containing pecan nuts, at New York, N. Y., alleging that the article was shipped on or about October 7, 1919, by the Border National Bank, Eagle Pass, Tex., and transported from the State of Texas into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in that the article consisted in part of a filthy, decomposed, and putrid vegetable substance.

On January 22, 1920, F. S. E. Gunnell & Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

S345. Alleged misbranding of "Sulfox." U. S. * * * v. Eman Mfg. Co., a Corporation. Tried by the court. Verdict of acquittal. (F. & D. No. 11635. I. S. No. 2657-r.)

At the November, 1919, term of the District Court of the United States for the District of Colorado, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the District Court aforesaid an information against the Eman Mfg. Co., a corporation, Denver, Colo., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about April 14, 1919, from the State of Colorado into the State of California, of a quantity of an article, labeled in part "'Sulfox' A Medicinal Water Artificially Prepared Sole owners and manufacturers The Eman Mfg. Co., Incorporated Main office 1426 Curtis Street Denver, Colo.," which was alleged to be misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was an aqueous solution consisting essentially of sulphuric acid and traces of calcium sulphate with a very faint trace of sulphur dioxide.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements included in the circulars accompanying the article falsely and fraudulently represented it to be effective as a pre-